

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Dabecca Natural Foods, Inc.
700 East 107th Street
Chicago, Illinois 60628**

ATTENTION:

**Jon Pederson
Director of Operations**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Dabecca Natural Foods, Inc. (Dabecca) to submit certain information about the facility at 700 East 107th Street, Chicago, Illinois. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 14 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Dabecca owns and operates an emission source at the Chicago, Illinois facility. We are requesting this information to determine whether your emission source is complying with the Illinois State Implementation Plan.

Dabecca must send all required information to smith.molly@epa.gov,

R5airenforcement@epa.gov and:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Dabecca must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business

confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

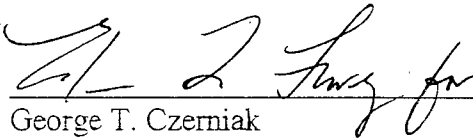
We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Dabecca to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Molly Smith at (312) 353-8773.

Date

9/30/15



George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

Dabecca Natural Foods, Inc. (Dabecca) must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) within 14 days from receipt of the Request.

The information must be sent to smith.molly@epa.gov, R5airenforcement@epa.gov, and the address listed in the cover letter.

1. Provide copies of all documentation relating to any stack testing, internal audits, emissions test runs, emissions characterizations, or emissions studies, conducted or attempted at the Dabecca facility for the period of January 1, 2008 to the date of this Request (i.e. stack tests, emission studies conducted on the plant or on specific production processes).
2. Calculate the total annual emissions from the facility for 2008 through 2014 (tons per year by pollutant). Dabecca can respond to this request by providing the pollutant specific annual emissions given to the Illinois Environmental Protection Agency (IEPA) for their annual emissions inventory. If Dabecca does not provide information to IEPA, then calculate pollutant specific annual emissions. Provide justification for each pollutant total, including hours of operation, throughput, and emission factors.
3. Provide copies of all current permits to construct and/or permits to operate issued by the IEPA. For each permit:
 - a. provide the original permit application including all appendices, attachments, and revised permit applications; and
 - b. state whether the projects allowed by each of the permits issued were completed as described in the applications for each of the permits. If the project was completed in a different manner, provide a description of how it was changed.
4. If Dabecca does not have a current permit, as requested by Item #3 above, provide justification for why the facility does not meet the minimum requirements of the following permit categories:
 - a. Registration of Smaller Sources Program (ROSS); and
 - b. Illinois State Lifetime Operating Permit.

Attached to this Information Request is the IEPA guide, "Does my business need Air Pollution Control Permit" document to assist in responding to this Item.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

Jon Pederson
Dabecca Natural Foods, Inc.
700 East 107th Street
Chicago, Illinois 60628

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Ray Pilapil, Manager
Compliance Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794-9276

On the 24th day of September 2015.

Kathy Jones
for Loretta Shaffer, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7014 2870 0001 9581 4243



State of Illinois
Illinois Department of Commerce and Economic Opportunity
Illinois Environmental Protection Agency

Does my
business need an

Air Pollution Control Permit?



Does My Business Need an Air Pollution Control Permit?

Introduction

This document is intended to provide a guide or roadmap to assist you in determining whether your business requires an air pollution control permit or registration from the Bureau of Air. Figuring out whether or not a permit or registration is needed has been confusing and frustrating to many small businesses. While this document is intended to help explain how to make this determination, it does not provide a definitive answer for every person or facility. Permit decisions can be complex matters and situations requiring interpretation and assistance can arise. You are encouraged to call the Agency's Bureau of Air Permit Section at 217/785-1705 if you have additional questions or concerns. Someone will be ready to assist you. If you have questions on the requirements for registration under the Registration of Smaller Sources, also known as the ROSS program, you should call the Small Business Environmental Assistance Program (SBEAP) at 800-252-3998. You may also wish to obtain assistance from an independent environmental professional of your choice.

There are two kinds of air pollution control permits, other than the registration program called ROSS, required by the Illinois Environmental Protection Act. **Construction permits** are required prior to beginning construction of an emission source or air pollution control equipment. **Operating permits** are required for operation of an emission source or air pollution control equipment subject to the permit requirements. Determining whether your business contains an emission unit may be a complicated question that requires interpretation. Similarly, questions requiring interpretation may arise in determining whether an "emission unit" falls within an exemption, how to calculate emissions, or what kind of permit you may need or if you fall under the ROSS program and need to register.

Your business may also need a water permit or a land permit or both, regardless of whether an air permit is required. Documents to assist you with these permits are also available from the Agency. If you have questions about land or water permits you can contact those offices at:

| | |
|--|--------------|
| Illinois EPA Bureau of Land Permit Section | 217/524-3300 |
| Illinois EPA Bureau of Water Permit Section | 217/782-0610 |
| Illinois EPA Office of Small Business | 888/EPA-1996 |
| Illinois Small Business Environmental Assistance Program | 800/252-3998 |

Does My Business Need a Construction Permit?

Generally, you can determine whether your business needs an **air pollution control construction permit** by going through the steps described below. For a new business or a new "source," you can determine whether your business needs a construction permit by going through Steps 1 and 2 below. For an existing source, you will also need to look at Step 3 below to determine whether your existing source has been modified so as to require a construction permit.

For an existing source, you should be aware that even if you did not obtain a construction permit prior to the construction of your source, you may be required to obtain an operating permit. The Agency recommends that you determine whether you need an operating permit (see the Operating Permit Section of this document) and apply for an operating permit or register under the ROSS program regardless of whether you obtained a construction permit.

Step 1: Does my business have an emission unit?

You should first ask whether your business has an **emission unit** or **air pollution control equipment** as defined in the state air pollution control regulations (the definitions of "emission source" and "emission unit" are very broad and can include almost any industrial or process equipment).

Air pollution control equipment is any equipment or facility of a type intended to eliminate, prevent, reduce or control the emission of **specified air contaminants** (see **Appendix 1**) to the atmosphere.

An **emission source** is any equipment or facility of a type capable of emitting **specified air contaminants** (see **Appendix 1**) to the atmosphere. An **emission unit** is any part or activity at a stationary source that emits or has the potential to emit any air pollutant.

Two important considerations:

- If your business has air pollution control equipment, it has an emission unit.
- If your business does not have an emission unit meeting this definition, you are not required to obtain an air pollution control construction permit or register under the ROSS program.

If your business does have an emission unit, you should go on to **Step 2**.

Step 2: Does my source or emission unit fit within any of the exemptions from the state permit requirements?

The environmental regulations for air pollution contain a list of emission units (and associated air pollution control equipment) for which you are not required to obtain a construction permit. Most of these are small emission sources, many of which are located at small businesses.

Appendix 2 contains a list of the exemptions to air permit requirements contained in the state air pollution control regulations. You should review **Appendix 2** to determine whether your “emission unit” may fit within any of the exemptions to the permit requirement.

Important considerations:

- If any of your emission units do not fit within one of the permit exemptions, you are required to obtain an air pollution control construction permit or register under the ROSS program from the Bureau of Air prior to construction of the emission units that do not fall under any of the permit exemptions.
- If all of your emission units do fit within one of more of the exemptions, you are not required to obtain a state air pollution control construction permit or register under the ROSS program.
- It is important to remember that while your units may be exempt because they are listed in the exemptions the accumulation of emissions of regulated pollutants (NO_x, CO, etc) or accumulation of HAPs from your units may cause you to need an air permit due to **New Source Review (NSR)**. See the description below in **Step four** for more information on **New Source Review** and the **Prevention of Serious Deterioration (PSD)** programs.

You should be aware that even if you do not need a permit, there may be certification, control requirements or recordkeeping requirements with which you must comply. The same requirements may apply to those sources registered under the ROSS program.

Additionally, the federal USEPA has National Emission Standards for Hazardous Air Pollutant (NESHAP) regulations that may apply to your facility's operation. There is a list of the existing NESHAP regulations at the back of this pamphlet in **Appendix 3**. The USEPA makes regular updates to its NESHAP regulations; you can get updated information about the NESHAP regulations at <http://www.epa.gov/ttn/atw/eparules.html>. These NESHAP regulations cover a variety of smaller area sources. **Area sources** are those sources that emit less than 10 tons per year (tpy) of any single hazardous air pollutant (HAP) or less than 25 tpy of any combination of HAP. A full list of the HAP regulated by USEPA can be found in **Appendix 1** or at <http://www.epa.gov/ttn/atw/orig189.html>.

Step 3: For an existing emission source, have you made any modification that triggers the construction permit requirement?

You should ask whether your source or emission units will be modified in a manner that meets the definition of a **modification** as contained in the air pollution control regulations:

- A **modification** is any physical change in, or change in the method of operations, of an emission source or of air pollution control equipment which increases the amount of any specified air contaminant emitted by such source or equipment or which results in the emission of any specified air contaminant not previously emitted. It shall be presumed that an increase in the use of raw materials, the time of operation or the rate of production will change the amount of any specified air contaminant emitted. Notwithstanding any other provisions of this definition, for purposes of permits issued pursuant to Subpart D, the Illinois Environmental Protection Agency (Agency) may specify conditions under which an emission source or air pollution control equipment may be operated without causing a modification as herein defined, and normal cyclical variations, before the date operating permits are required, shall not be considered modifications.

There is a significant amount of historical interpretation of this definition (35 Ill. Adm. Code §201.102). In some situations, the interpretation can be quite complex. However, under the air regulations, any physical change in an emission unit that increases emissions will generally require a construction permit unless the source is currently registered under the ROSS program and the modification does not change the levels of total emissions under the ROSS program.

You may wish to discuss these issues with someone from the Bureau of Air's Permit Section or obtain professional assistance or both in making this determination.

Step 4: If new equipment or modifications cause increased emissions, are any other regulations triggered?

You should ask yourself if your emissions from new construction or modifications are at a **major source** level (defined in this section).

If the emissions do exceed the major level, then the new emission unit or existing modified emission unit may need to comply with federal regulations for the **prevention of significant deterioration of air quality (PSD)** or 35 Ill. Adm. Code 203, **New Source Review (NSR)**. Under the PSD rules, the owner or operator of the subject source will be required to apply the best available control technology for the new or modified emission unit for each pollutant for which the source emits a large enough amount to classify the source as a **major source** for that pollutant, while under nonattainment-NSR requirements, the owner or operator of the subject source is required to apply the lowest achievable emission rate.

If your emissions are close to or at a major level, then a meeting with a permit analyst is highly recommended, before construction to determine applicability of these rules.

- A **major source** is defined as any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person or persons) belonging to a single major industrial grouping and is described in one of the following:
 - **potential to emit** 100 tons per year ("T/yr") or more of any air pollutant, i.e., particulate matter (PM-10), sulfur dioxide (SO₂), nitrogen oxides (NO_x), carbon monoxide (CO), or volatile organic material (VOM).
 - **potential to emit** 10 T/yr or more of any one of the 187 Hazardous Air Pollutants (HAPs) listed pursuant to section 112(b) of the Clean Air Act, or
 - **potential to emit** 25 T/yr or more of any combination of HAPS{Potential to emit is the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design after any required reduction by air pollution control devices. Note that this is calculated considering the maximum capacity of the equipment (use 8760 operating hours per year).}

Note: Greenhouse gases are considered air pollutants and can trigger these requirements. (definition of greenhouse gases can be found in Appendix 1)

There are other requirements that go beyond the scope of this document for purposes of PSD and nonattainment-NSR. Please contact the Permit Section or a professional consultant if your business is subject to either one of these requirements.

Does My Business Need An Operating Permit?

Determining whether your business needs an **air pollution control operating permit** is nearly identical to determining whether your business needs a construction permit. However, you should pay special attention to the explanation of the federal Clean Air Act Permit Program (CAAPP) requirements below, since they do not always follow the same steps. There are also different kinds of operating permits and a registration program of which you need to be aware.

1. Will you need an air pollution operating permit for your source or emission unit?

- If your source, emission unit, or air pollution control equipment does not need an air construction permit (as determined from Steps 1 and 2 of the earlier section of this document), it does not need an operating permit. (But see **Note** below.)
- If your source, emission unit, or air pollution control equipment does or will need a construction permit, it will also need an operating permit or may fall under the ROSS program.

Note: In a limited number of circumstances, the requirement for a CAAPP permit may still apply even if your emission source fits within one of the exemptions. For example, as is explained in the earlier section, certain businesses subject to the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAP) are exempt from the state operating permit requirements (i.e., certain dry cleaners); however, they may emit a level of **hazardous air pollutant (HAP)** emissions that triggers a CAAPP permit requirement. A list of the 187 HAPs is found in **Appendix 1**. Similarly, certain engines exempt from the state operating permit requirement may emit enough nitrogen oxides to trigger the CAAPP permit requirement.

2. What Type of Operating Permit Is Required?

The most important thing to determine is whether your business needs to obtain an air pollution control operating permit or register under the ROSS program. Completing the steps mentioned earlier will help you answer that question.

However, if you have determined that you need an operating permit for your business, you will want to know the type of operating permit you need. This will determine the application requirements you must meet, the application forms you should use, and the permit you will receive. The Bureau of Air's Permit Section, at 217-785-1705, will help you if you need assistance.

A brief description of the different kinds of operating permits and the ROSS registration program follows below. As with the Steps above, determining what kind of permit you need to obtain may require interpretation for which you may want to obtain assistance from the Bureau of Air. You may also wish to obtain assistance from an environmental professional of your choice.

Lifetime State Operating Permit:

Sources subject to the requirement to obtain a state air pollution control operating permit were able to receive a lifetime permit for the emission source. This lifetime permit does not require renewal or reapplication unless requested by the Agency for certain defined reasons. After July 1, 1998, lifetime permits will be issued for all new sources not subject to CAAPP or FESOP permitting requirements (see below). All existing state operating permits were issued as lifetime permits at the time of their first renewal after July 1, 1998.

Registration of Smaller Sources (ROSS) program:

The ROSS program is intended to simplify air regulatory requirements by requiring sources with lower emissions to register with the agency rather than acquiring or maintaining an air permit. It is important to note that although the source may no longer be subject to permitting, the source **must still comply with all applicable environmental requirements.**

Sources meeting the following eligibility criteria must register under ROSS:

- Not required to get a Title V or Clean Air Permit Program (CAPP) permit
- Not required to get a Federally Enforceable State Operating Permit (FESOP)
- Not required to get a permit under the New Source Performance Standards (NSPS) or under the National Emission Standards for Hazardous Air Pollutants (NESHAP) or by USEPA.
- Actual emissions from the source's emission units are less than the following limits for the prior calendar year*:
 - 5.0 Tons/yr of combined pollutants (particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and volatile organic material)
 - 0.50 Tons/yr of combined Hazardous Air Pollutants (HAPs)
 - 0.05 Tons/yr of mercury air emissions
 - 0.05 Tons/yr of lead air emissions

**Do not include emission units that are exempt from the permitting requirements-see Appendix 2*

- If a new source the sum of the anticipated estimated actual annual emissions from all non-exempt units associated with the source must meet the limits as stated above. If the source has been operating less than one calendar year, projected estimated emissions may be used for all of the remaining months in the prior calendar year.
- Emission units or source is not subject to maximum achievable control technology under 40 CFR Part 61 or the NESHAP under 40 CFR Part 63 unless it is categorized as an area source
- Emission units at the source are not used as thermal desorption systems pursuant to 35 Ill. Adm. Code 728 Table F or as an incinerator system.
- The source is not subject to local siting review under Section 39.2 of the Act

Is there a fee and is there a deadline to register?

Yes, the annual registration fee is \$235 and there are registration deadlines. The annual fee payment will serve as the owner or operator's verification that the source continues to meet the eligibility criteria each year. The registration deadlines are as follows:

- Sources holding a permit must register no later than their annual fee payment date in state fiscal year 2013 (July 1, 2012 through June 30, 2013). The registration fee is due by this date also.
- The owner or operator of an operating source not holding a permit shall register no later than July 1, 2012 and payment of the fee is due at the time of registration.
- The owner or operator of a new source shall register at least 10 days before commencing construction or operation and may commence construction or operation 10 days after submittal to the Agency. Fee payment is due at the time of registration.

What happens if I am in ROSS and I am no longer eligible?

If you had an existing operating permit, then you would notify the Permit Section that you are no longer eligible for ROSS and want to go back to your permit. If you had made any changes to your operation that would need a modification to your permit, these changes should be noted. If you made changes to your operation that included constructing an emission unit that put you over the applicability requirement, then you may need to get a construction permit for that specific emission unit that caused your source to fall out of ROSS. *(Previous construction for emission units that did not cause the exceedance of applicability while under ROSS will not require a construction permit.)*

If you were a new source under ROSS, then you will have to submit permit application forms within 90 days of your annual fee payment date.

Once your business meets the eligibility requirement for ROSS, then you can reenter into the ROSS program at that time.

There are many nuances to the ROSS program. For the complete regulation on ROSS, see Appendix 5

For more information on the ROSS program, check out the ROSS webpage at www.iencconnect.com/enviro or call the Small Business Environmental Assistance Program at 1-800-252-3998.

Clean Air Act Permit Program (CAAPP):

The CAAPP permit is the most extensive and demanding of the operating permits. The CAAPP program was mandated by the federal Clean Air Act and is contained in Section 39.5 of the Illinois Environmental Protection Act. It generally covers larger or more significant emission sources from an air pollution perspective.

For sources that previously had a regular state operating permit, the CAAPP permit replaced the earlier operating permit.

The CAAPP application process is detailed and complex and will typically require professional assistance. A packet of information, including application forms, is available from the Bureau of Air's Permit Section. The requirements of a CAAPP permit are more extensive than the existing state operating permit program in a number of areas. Public notice and an opportunity for hearing are required. In addition, there is an opportunity for review of proposed permits by USEPA, the public and affected states. USEPA also has the ability to object to, terminate and reissue permits.

The CAAPP permit requirement applies to any source that meets one of the criteria below:

- Any **major source**,
- Sources subject to requirements under New Source Performance Standards (NSPS) or National Emission Standards for Hazardous Air Pollutants (NESHAPS), if specifically required by USEPA, (See Appendices 3 and 4 for more information about the existing NESHAPS and NSPS)
- Coal-fired electric utilities subject to acid-rain control requirements.
(See the Clean Air Act Permit Program, Section 39.5 of the Illinois Environmental Protection Act).
- Any other sources subject under the Clean Air Act or applicable Board regulation.

In order to make a definitive interpretation for your business, you may wish to contact the **Bureau of Air's Permit Section** or obtain professional assistance through an outside consulting firm.

The owner or operator of a new CAAPP source must submit a complete CAAPP application within 12 months after commencing operation. A construction permit must be obtained prior to construction. The owner or operator of an existing source that becomes subject to CAAPP requirements solely due to a change in operation must submit a complete CAAPP application at least 180 days before the change in operation.

Federally Enforceable State Operating Permit (FESOP):

This type of permit is available on a voluntary basis for those sources subject to CAAPP because only their potential emissions, but not their actual emissions, exceed major source thresholds. A source with actual emissions below the major source thresholds may wish to avoid the CAAPP permit requirement. Not all persons who are subject to the CAAPP can obtain a FESOP in lieu of the CAAPP. Generally, a FESOP is only available for a source that can voluntarily limit its emissions by accepting limits on their production rates, material usage, or fuel usage so as to keep their emissions below the applicability provisions of the CAAPP program. Like the CAAPP permit, application for a FESOP involves public notice, federal review and other requirements. However, it typically is less costly to apply for a FESOP.

What is the purpose or value of a FESOP?

A FESOP allows certain sources to restrict their operations in a manner to avoid the requirement to obtain a CAAPP permit. In almost every case, it will be more expensive to obtain and comply with a CAAPP permit.

What is a FESOP?

A FESOP is a type of synthetic minor operating permit that has undergone public notice and contains conditions that can be enforced by USEPA. These conditions can contain limits on the operations of the plant (i.e., types and amounts of material used, production or throughput of emission units, hours of operation, etc.) and associated recordkeeping requirements, which effectively restrict and redefine the **potential to emit** (see page 3) of a source to be below major source levels thereby excluding the source from the CAAPP requirement.

What sources are eligible for a FESOP?

A source can apply for a FESOP if the **potential to emit** (see page 3) from the source triggers CAAPP requirements, but maximum actual emissions are consistently below the levels, and can be restricted to remain below major source thresholds.

How does someone apply for a FESOP?

Application is strictly on a voluntary basis. The applicant must formally request an operating permit containing federally enforceable limits restricting the "potential to emit" below major source levels to avoid CAAPP. The complete application must propose a set of enforceable limitations on emissions, operations and production, which constrain plant emissions below major source level.

Are there other benefits to applying for a FESOP?

Yes. The following is a brief summary of the benefits of applying for a FESOP

National Emission Standards for Hazardous Air Pollutants (NESHAP): A source may want to be established as an "Area Source" so that the source is only subject to only those NESHAP provisions applicable to an area source. This must be done prior to the first compliance date of any applicable major source NESHAP under 40 CFR Part 63 or the source is subject to the NESHAP and Title V or CAAPP permitting requirements.

Emission Reduction Market System (ERMS): ERMS is applicable for sources in the Chicago nonattainment area with a PTE ≥ 25 and actual ozone seasonal (May 1st through September 30th) VOM emissions of 10 tons or more. A FESOP permit can be used to:

- a. establish conditions for the source to participate in the ERMS in order to trade allotment trading units (ATUs).
- b. establish 15 ton per ozone season (tps) limits to allow the source to be exempted from participating in ERMS.
- c. establish a one time 18% reduction to allow the source to be exempted from participating in ERMS.

Reasonably Available Control Technology (RACT): FESOPs can be used to establish VOM emission limits for a source to avoid an otherwise applicable RACT rule (e.g., 35 IAC Parts 218 or 219) where the rule is applicable to a source based on PTE or Maximum Theoretical Emissions (MTE) above a certain level.

New Source Review (NSR): FESOPs can be used to establish emission limits on a source to avoid triggering NSR (either Prevention of Significant Deterioration (PSD, see 40 CFR 52.21) or nonattainment-NSR (see 35 IAC Part 203)).

What fees should I expect to pay?

Permit fees are set by statute and are subject to change through legislative amendments. The following table, current as of January 2012, is a summary of the fees that are associated with the different types of permits described above. Generally speaking, air permit construction fees range from \$500 - \$30,000 plus a possible additional \$25,000 if the permit application is complex and another \$10,000 if a hearing is held. See Section 9.12 of the Illinois Environmental Protection Act (Act).

Operation fees range from \$235- \$4,112 per year for smaller sources. Major sources have a range of annual fees

from \$2,150 – up to \$294,000 per year based on \$21.50/ton of emissions, excluding greenhouse gases. See Sections 9.6 and 39.5(18) of the Act.

There is a new option for expediting a permit. This process costs four times the standard permit fee required and shall not exceed \$100,000. Time frames for the expedited permit should be negotiated with the Permit Section.

Construction fee table

Major Source Fee Schedule

| Base Fees | Amount |
|--|---|
| | Prior Jan1,2012/ On & after Jan 1,2012 |
| First emission unit | New \$4,000 Modified \$2,000 |
| Each additional new or modified emission unit • If any unit is new, the maximum total fee for any combination of new and/or modified units is \$10,000 If only modified units are involved, the maximum fee is \$5,000 | \$1,000 each |
| Supplemental Fees | Amount |
| New major source ("entry fee") | \$5,000 |
| New source or emission unit subject to local siting review (i.e., a new landfill), a commercial incinerator or other municipal waste, hazardous waste, or waste tire incinerator, a commercial power generator, or one or more other emission units designated as a complex source by Agency rulemaking. | \$25,000 |
| Netting for any pollutant, i.e., reliance on contemporaneous emission decrease(s) | \$3,000 per pollutant |
| New major source subject to Prevention of Significant Deterioration (PSD) | \$12,000 |
| Major modification subject to PSD | \$6,000 |
| New major source subject to nonattainment New Source Review (NSR) | \$20,000 |
| Major modification subject to nonattainment NSR | \$12,000 |
| Determination of Maximum Achievable Control Technology for a pollutant, if the project is not subject to BACT or LAER for the related PSD or nonattainment NSR pollutant (e.g., volatile organic material or hazardous air pollutants) | \$5,000 (per unit) |
| Public Hearing Fee *if unknown will be paid upon request of applicant or within 30 days of being informed hearing is required by the Agency. | \$10,000* |
| Applications Subject Only To A Filing Fee | \$500 |
| If an application only involves the following activities, only a filing fee applies | |
| <ul style="list-style-type: none"> • Addition or replacement of control devices on permitted units • Pilot projects/trial burns by a permitted unit • Land remediation projects • Revisions related to methodology or timing for emission testing • Administrative-type modifications to a permit | |

Non-Major Source Fee Schedule

| Base Fees | Amount |
|--|-------------|
| Small project - No more than one new emission unit or no more than two modified emission units or no more than one new emission unit and one modified emission unit | \$500 |
| Other project - More than one new emission unit or more than two modified units | \$1,000 |
| Supplemental Fees | Amount |
| New State source ("entry fee") | \$500 |
| New source or emission unit subject to local siting review (i.e., a new landfill), a commercial incinerator or other municipal waste, hazardous waste, or waste tire incinerator, a commercial power generator, or one or more other emission units designated as a complex source by Agency rulemaking. | \$15,000 |
| Transition from Major Source to Non-Major Source | \$4,000/\$0 |
| Public Hearing Fee/*if unknown will be paid upon request of applicant or within 30 days of being informed hearing is required by the Agency. | \$10,000* |
| Types of Applications Subject Only To A Filing Fee | |
| <p>If an application only involves the following, only a filing fee applies</p> <ul style="list-style-type: none"> • Addition or replacement of control devices on permitted units • Pilot projects/trial burns by a permitted unit • Land remediation projects • Revisions related to methodology or timing for emission testing • Administrative-type modifications to a permit | \$500 |

Non-Title V Operating Permit Fees

Who is covered?

This permit program covers sources in Illinois that are required by our federally approved State Implementation Plan to have operating permits but are not large enough to be required to obtain a permit under Title V of the federal Clean Air Act, known as the "Clean Air Act Permit Program" or "CAAPP" permit.

These sources typically include concrete batch plants, quarries, drycleaners, grain elevators and small printing and coating operations.

What is the fee?

The legislation sets the site fees based on the amount of emissions of any combination of regulated air pollutants excluding greenhouse gases as indicated below:

| Allowable Emissions/Year | Fee |
|--------------------------|----------------------|
| < 25 tons | \$200/\$235 |
| 25 tons to <100 tons | \$1,800/\$2150 |
| 100 tons to 194 tons | \$18/ton/\$21.50/ton |
| >194 tons | \$3,500/\$4112 |

Clean Air Title V Fees

Who is covered?

Sources that are subject to Illinois' Title V permit program or CAPPP under Section 39.5 of the Environmental Protection Act.

What is the fee?

The site fees are based on the amount of emissions of any combination of regulated air pollutants excluding greenhouse gases as indicated below:

| Allowable Emissions/Year | Fee |
|---------------------------------|-------------------------|
| < 100 tons | \$1,800/\$2150 |
| 100 tons to <13,888 tons | \$18.00/ton/\$21.50/ton |
| > 13,888 tons | \$250,000/\$294,000 |

For Further Information

For questions you can contact the **Bureau of Air's Permit Section** at 217-785-1705, or you can write to:
Illinois EPA

Bureau of Air, Permit Section, #11
1021 North Grand Ave. E
P. O. Box 19506
Springfield, IL 62794-9506

Permit application forms are available on line at www.epa.state.il.us/air/form.html or through the permitting portal found on the main page at www.epa.state.il.us

A complete database of the Illinois environmental rules in Title 35 is available from the Pollution Control Board's web site at <http://www.ipcb.state.il.us/SLR/IPCBandIEPAEnvironmentalRegulations-Title35.asp>

Or you can also contact the Small Business Environmental Assistance Program (SBEAP) at 1-800-252-3998, by email at dceo.sbeap@illinois.gov or by mail:

SBEAP, 5th floor
Dept. of Commerce and Economic Opportunity
500 East Monroe
Springfield, IL 62701

You can also check out the SBEAP website for factsheets, workshops and other assistance tools for small businesses at www.iencconnect.com/enviro

Appendix 1

Specified Air Contaminant:

Any air contaminant as to which this Subtitle (Title 35: Environmental Protection, Subtitle B: Air Pollution) contains emission standards or other specific limitations and any contaminant regulated in Illinois pursuant to Section 9.1 of the Act.

Air contaminants that meet this definition include the following:

| | | |
|------------------------------------|-----------------------------|--------------------|
| carbon monoxide (CO) | volatile organic material | furans |
| particulate matter (PM-10) | (including volatile organic | fluorides |
| nitrogen oxides (NO _x) | compounds (VOCs)) | hydrogen chloride |
| sulfur dioxides (SO ₂) | total particulates | hydrogen sulfide |
| lead | organic material | sulfuric acid mist |
| | dioxins | sulfur compounds |

In addition, it includes most of the **187 hazardous air pollutants** (see list below) regulated under and listed in Section 112(b) of the Clean Air Act Amendments of 1990. Note: Because of the number of contaminants meeting this definition of "special air contaminant," you are very likely to be an emission source if you have emissions. *(The above definitions are taken from "Title 35: Environmental Protection, Subtitle B: Air Pollution, Chapter I: Pollution Control Board, State of Illinois Rules and Regulations," Section 201.102)*

In addition, it includes greenhouse gases or "GHG" as defined in 415 ILCS 5/3.207 means the air pollutant defined in 40 CFR 86.1818 12(a) as the aggregate group of 6 greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Hazardous Air Pollutants

The following is a list of the 187 Hazardous Air Pollutants that are regulated by EPA under Section 112 of the Clean Air Act. This list is current as of January 13, 2012. You can check the USEPA web site for updates to this list and for an overview of the requirements of Section 112 of the Clean Air Act at

<http://www.epa.gov/ttn/atw/overview.html>

| CAS Number | Chemical Name | CAS Number | Chemical Name | CAS Number | Chemical Name |
|------------|---|------------|---|------------|---|
| 75070 | Acetaldehyde | 133062 | Captan | 96128 | 1,2-Dibromo-3-chloropropane |
| 60355 | Acetamide | 63252 | Carbaryl | 84742 | Dibutylphthalate |
| 75058 | Acetonitrile | 75150 | Carbon disulfide | 106467 | 1,4-Dichlorobenzene(p) |
| 98862 | Acetophenone | 56235 | Carbon tetrachloride | 91941 | 3,3'-Dichlorobenzidine |
| 53963 | 2-Acetylaminofluorene | 463581 | Carbonyl sulfide | 111444 | Dichloroethyl ether (Bis(2-chloroethyl)ether) |
| 107028 | Acrolein | 120809 | Catechol | 542756 | 1,3-Dichloropropene |
| 79061 | Acrylamide | 133904 | Chloramben | 62737 | Dichlorvos |
| 79107 | Acrylic acid | 57749 | Chlordane | 111422 | Diethanolamine |
| 107131 | Acrylonitrile | 7782505 | Chlorine | 121697 | N,N-Diethyl aniline (N,N-Dimethylaniline) |
| 107051 | Allyl chloride | 79118 | Chloroacetic acid | 64675 | Diethyl sulfate |
| 92671 | 4-Aminobiphenyl | 532274 | 2-Chloroacetophenone | 119904 | 3,3-Dimethoxybenzidine |
| 62533 | Aniline | 108907 | Chlorobenzene | 60117 | Dimethyl aminoazobenzene |
| 90040 | o-Anisidine | 510156 | Chlorobenzilate | 119937 | 3,3'-Dimethyl benzidine |
| 1332214 | Asbestos | 67663 | Chloroform | 79447 | Dimethyl carbamoyl chloride |
| 71432 | Benzene (including benzene from gasoline) | 107302 | Chloromethyl methyl ether | 68122 | Dimethyl formamide |
| 92875 | Benzidine | 126998 | Chloroprene | 57147 | 1,1-Dimethyl hydrazine |
| 98077 | Benzotrithloride | 1319773 | Cresols/Cresylic acid (isomers and mixture) | 131113 | Dimethyl phthalate |
| 100447 | Benzyl chloride | 95487 | o-Cresol | 77781 | Dimethyl sulfate |
| 92524 | Biphenyl | 108394 | m-Cresol | 534521 | 4,6-Dinitro-o-cresol, and salts |
| 117817 | Bis(2-ethylhexyl)phthalate (DEHP) | 106445 | p-Cresol | 51285 | 2,4-Dinitrophenol |
| 542881 | Bis(chloromethyl)ether | 98828 | Cumene | 121142 | 2,4-Dinitrotoluene |
| 75252 | Bromoform | 94757 | 2,4-D, salts and esters | 123911 | 1,4-Dioxane (1,4-Diethylenoxide) |
| 106990 | 1,3-Butadiene | 3547044 | DDE | 122667 | 1,2-Diphenylhydrazine |
| 156627 | Calcium cyanamide | 334883 | Diazomethane | | |
| | | 132649 | Dibenzofurans | | |

| CAS Number | Chemical Name | CAS Number | Chemical Name | CAS Number | Chemical Name |
|------------|--|------------|--|------------|--|
| 106898 | Epichlorohydrin (1-Chloro-2,3-epoxypropane) | 60344 | Methyl hydrazine | 79345 | 1,1,2,2-Tetrachloroethane |
| 106887 | 1,2-Epoxybutane | 74884 | Methyl iodide (Iodomethane) | 127184 | Tetrachloroethylene (Perchloroethylene) |
| 140885 | Ethyl acrylate | 108101 | Methyl isobutyl ketone (Hex-one) | 7550450 | Titanium tetrachloride |
| 100414 | Ethyl benzene | 624839 | Methyl isocyanate | 108883 | Toluene |
| 51796 | Ethyl carbamate (Urethane) | 80626 | Methyl methacrylate | 95807 | 2,4-Toluene diamine |
| 75003 | Ethyl chloride (Chloroethane) | 1634044 | Methyl tert butyl ether | 584849 | 2,4-Toluene diisocyanate |
| 106934 | Ethylene dibromide (Dibromoethane) | 101144 | 4,4-Methylene bis(2-chloroaniline) | 95534 | o-Toluidine |
| 107062 | Ethylene dichloride (1,2-Dichloroethane) | 75092 | Methylene chloride (Dichloromethane) | 8001352 | Toxaphene (chlorinated camphene) |
| 107211 | Ethylene glycol | 101688 | Methylene diphenyl diisocyanate (MDI) | 120821 | 1,2,4-Trichlorobenzene |
| 151564 | Ethylene imine (Aziridine) | 101779 | 4,4'-Methylenedianiline | 79005 | 1,1,2-Trichloroethane |
| 75218 | Ethylene oxide | 91203 | Naphthalene | 79016 | Trichloroethylene |
| 96457 | Ethylene thiourea | 98953 | Nitrobenzene | 95954 | 2,4,5-Trichlorophenol |
| 75343 | Ethylidene dichloride (1,1-Dichloroethane) | 92933 | 4-Nitrobiphenyl | 88062 | 2,4,6-Trichlorophenol |
| 50000 | Formaldehyde | 100027 | 4-Nitrophenol | 121448 | Triethylamine |
| 76448 | Heptachlor | 79469 | 2-Nitropropane | 1582098 | Trifluralin |
| 118741 | Hexachlorobenzene | 684935 | N-Nitroso-N-methylurea | 540841 | 2,2,4-Trimethylpentane |
| 87683 | Hexachlorobutadiene | 62759 | N-Nitrosodimethylamine | 108054 | Vinyl acetate |
| 77474 | Hexachlorocyclopentadiene | 59892 | N-Nitrosomorpholine | 593602 | Vinyl bromide |
| 67721 | Hexachloroethane | 56382 | Parathion | 75014 | Vinyl chloride |
| 822060 | Hexamethylene-1,6-diisocyanate | 82688 | Pentachloronitrobenzene (Quintobenzene) | 75354 | Vinylidene chloride (1,1-Dichloroethylene) |
| 680319 | Hexamethylphosphoramide | 87865 | Pentachlorophenol | 1330207 | Xylenes (isomers and mixture) |
| 110543 | Hexane | 108952 | Phenol | 95476 | o-Xylenes |
| 302012 | Hydrazine | 106503 | p-Phenylenediamine | 108383 | m-Xylenes |
| 7647010 | Hydrochloric acid | 75445 | Phosgene | 106423 | p-Xylenes |
| 7664393 | Hydrogen fluoride (Hydrofluoric acid) | 7803512 | Phosphine | 0 | Antimony Compounds |
| 7783064 | Hydrogen sulfide (<i>See Modification</i>) | 7723140 | Phosphorus | 0 | Arsenic Compounds (inorganic including arsine) |
| 123319 | Hydroquinone | 85449 | Phthalic anhydride | 0 | Beryllium Compounds |
| 78591 | Isophorone | 1336363 | Polychlorinated biphenyls (Aroclors) | 0 | Cadmium Compounds |
| 58899 | Lindane (all isomers) | 1120714 | 1,3-Propane sultone | 0 | Chromium Compounds |
| 108316 | Maleic anhydride | 57578 | beta-Propiolactone | 0 | Cobalt Compounds |
| 67561 | Methanol | 123386 | Propionaldehyde | 0 | Coke Oven Emissions |
| 72435 | Methoxychlor | 114261 | Propoxur (Baygon) | 0 | Cyanide Compounds ¹ |
| 74839 | Methyl bromide (Bromomethane) | 78875 | Propylene dichloride (1,2-Dichloropropane) | 0 | Glycol ethers ² |
| 74873 | Methyl chloride (Chloromethane) | 75569 | Propylene oxide | 0 | Lead Compounds |
| 71556 | Methyl chloroform (1,1,1-Trichloroethane) | 75558 | 1,2-Propylenimine (2-Methylaziridine) | 0 | Manganese Compounds |
| 78933 | Methyl ethyl ketone (2-Butanone) (<i>See Modification</i>) | 91225 | Quinoline | 0 | Mercury Compounds |
| | | 106514 | Quinone | 0 | Fine mineral fibers ³ |
| | | 100425 | Styrene | 0 | Nickel Compounds |
| | | 96093 | Styrene oxide | 0 | Polycyclic Organic Matter ⁴ |
| | | 1746016 | 2,3,7,8-Tetrachlorodibenzo-p-dioxin | 0 | Radionuclides (including radon) ⁵ |
| | | | | 0 | Selenium Compounds |

NOTE: For all listings above which contain the word "compounds" and for glycol ethers, the following applies: Unless otherwise specified, these listings are defined as including any unique chemical substance that contains the named chemical (i.e., antimony, arsenic, etc.) as part of that chemical's infrastructure.

1 X'CN where X = H' or any other group where a formal dissociation may occur. For example KCN or Ca(CN)₂

2 Includes mono- and di- ethers of ethylene glycol, diethylene glycol, and triethylene glycol R-(OCH₂CH₂)_n-OR' where n = 1, 2, or 3

R = alkyl or aryl groups

R' = R, H, or groups which, when removed, yield glycol ethers with the structure: R-(OCH₂CH)_n-OH. Polymers are excluded from the glycol category. (*See Modification*)

3 Includes mineral fiber emissions from facilities manufacturing or processing glass, rock, or slag fibers (or other mineral derived fibers) of average diameter 1 micrometer or less.

4 Includes organic compounds with more than one benzene ring, and which have a boiling point greater than or equal to 100 ° C.

5 A type of atom which spontaneously undergoes radioactive decay.

Appendix 2

Permit Exemptions

Construction or operating permits, pursuant to 35 Ill. Adm. Code Sections 201.142, 201.143 and 201.144, are not required for the classes of equipment and activities listed below. The permitting exemptions in this Section do not relieve the owner or operator of any source from any obligation to comply with any other applicable requirements, including the obligation to obtain a permit pursuant to Sections 9.1(d) and 39.5 of the Act, Sections 165, 173 and 502 of the Clean Air Act or any other applicable permit or registration requirements. This list includes all amendments through January 13, 2012.

- a) Air contaminant detectors or recorders, combustion controllers or combustion shutoffs;
- b) Air conditioning or ventilating equipment not designed to remove air contaminants generated by or released from associated equipment;
- c) Each fuel burning emission unit for indirect systems and for heating and reheating furnace systems used exclusively for residential, or commercial establishments using gas and/or fuel oil exclusively with a design heat input capacity of less than 14.6 MW (50 mmbtu/hr), except that a permit shall be required for any such emission unit with a design heat input capacity of at least 10 mmbtu/hr that was constructed, reconstructed or modified after June 9, 1989 and that is subject to 40 CFR 60, subpart D;
- d) Each fuel burning emission unit other than those listed in subsection (c) of this Section for direct systems used for comfort heating purposes and indirect heating systems with a design heat input capacity of less than 2930 kW (10 mmbtu/hr);
- e) Internal combustion engines or boilers (including the fuel system) of motor vehicles, locomotives, air craft, watercraft, lifttrucks and other vehicles powered by nonroad engines;
- f) Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including associated laboratory fume hoods, vacuum producing devices and control devices installed primarily to address potential accidental releases;
- g) Coating operations located at a source using not in excess of 18,925 l (5,000 gal) of coating (including thinner) per year;
- h) Any emission unit acquired exclusively for domestic use, except that a permit shall be required for any incinerator and for any fuel combustion emission unit using solid fuel with a design heat input capacity of 14.6 MW (50 mmbtu/hr) or more;
- i) Any stationary internal combustion engine with a rated power output of less than 1118 kW (1500 bhp) or stationary turbine, except that a permit shall be required for the following:
 - 1) Any internal combustion engine with a rating at equal to or greater than 500 bhp output that is subject to the control requirements of 35 Ill. Adm. Code 217.388(a) or (b); or
 - 2) Any stationary gas turbine engine with a rated heat input at peak load of 10.7 gigajoules/hr (10 mmbtu/hr) or more that is constructed, reconstructed or modified after October 3, 1977 and that is subject to requirements of 40 CFR 60, subpart GG;
- j) Rest room facilities and associated cleanup operations, and stacks or vents used to prevent the escape of sewer gases through plumbing traps;

- k) Safety devices designed to protect life and limb, provided that a permit is not otherwise required for the emission unit with which the safety device is associated;
- l) Storage tanks for liquids for retail dispensing except for storage tanks that are subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);
- m) Printing operations with aggregate organic solvent usage that never exceeds 2,839 l (750 gal) per year from all printing lines at the source, including organic solvent from inks, dilutents, fountain solutions and cleaning materials;
- n) Storage tanks of:
 - 1) Organic liquids with a capacity of less than 37,850 l (10,000 gal), provided the storage tank is not used to store any material listed as a hazardous air pollutant pursuant to section 112(b) of the Clean Air Act, and provided the storage tank is not subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);
 - 2) Any size containing exclusively soaps, detergents, surfactants, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials; or
 - 3) Any size containing virgin or re-refined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil or residual fuel oils;
- o) Threaded pipe connections, vessel manways, flanges, valves, pump seals, pressure relief valves, pressure relief devices and pumps;
- p) Sampling connections used exclusively to withdraw materials for testing and analyses;
- q) All storage tanks of Illinois crude oil with capacity of less than 151,400 l (40,000 gal) located on oil field sites;
- r) All organic material-water single or multiple compartment effluent water separator facilities for Illinois crude oil of vapor pressure of less than 34.5 kPa absolute (5 psia);
- s) Grain-handling operations, exclusive of grain-drying operations, with an annual grain throughput not exceeding 300,000 bushels;
- t) Grain-drying operations with a total grain-drying capacity not exceeding 750 bushels per hour for 5% moisture extraction at manufacturer's rated capacity, using the American Society of Agricultural Engineers Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers;
- u) Portable grain-handling equipment and one-turn storage space;
- v) Cold cleaning degreasers that are not in-line cleaning machines, where the vapor pressure of the solvents used never exceeds 2 kPa (15 mmHg or 0.3 psi) measured at 38°C (100°F) or 0.7 kPa (5 mmHg or 0.1 psi) at 20°C (68°F);
- w) Coin-operated dry cleaning operations;
- x) Dry cleaning operations at a source that consume less than 30 gallons per month of perchloroethylene;
- y) Brazing, soldering, wave soldering or welding equipment, including associated ventilation hoods;

- z) Cafeterias, kitchens, and other similar facilities, including smokehouses, used for preparing food or beverages, but not including facilities used in the manufacturing and wholesale distribution of food, beverages, food or beverage products, or food or beverage components;
- aa) Equipment for carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, sand blast cleaning, shot blasting, shot peening, or polishing ceramic artwork, leather, metals (other than beryllium), plastics, concrete, rubber, paper stock, wood or wood products, where such equipment is either:
 - 1) Used for maintenance activity;
 - 2) Manually operated;
 - 3) Exhausted inside a building; or
 - 4) Vented externally with emissions controlled by an appropriately operated cyclonic inertial separator (cyclone), filter, electro-static precipitator or a scrubber;
- bb) Feed mills that produce no more than 10,000 tons of feed per calendar year, provided that a permit is not otherwise required for the source pursuant to Section 201.142, 201.143 or 201.144;
- cc) Extruders used for the extrusion of metals, minerals, plastics, rubber or wood, excluding:
 - 1) Extruders used in the manufacture of polymers;
 - 2) Extruders using foaming agents or release agents that contain volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act; and
 - 3) Extruders processing scrap material that was produced using foaming agents containing volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act;
- dd) Furnaces used for melting metals, other than beryllium, with a brim full capacity of less than 450 cubic inches by volume;
- ee) Equipment used for the melting or application of less than 22,767 kg/yr (50,000 lbs/yr) of wax to which no organic solvent has been added;
- ff) Equipment used for filling drums, pails or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils, waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;
- gg) Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;
- hh) Equipment used for the mixing and blending of materials at ambient temperatures to make water based adhesives, provided each material mixed or blended contains less than 5% organic solvent by weight;
- ii) Die casting machines where a metal or plastic is formed under pressure in a die located at a source with a through-put of less than 2,000,000 lbs of metal or plastic per year, in the aggregate, from all die casting machines;